

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA  
*PLAINTIFF,*

v.

ASHU JOSHI  
*DEFENDANT.*

No. 4:18CR876 JAR/NCC

**MOTION TO EXTEND**  
**PRETRIAL MOTION DEADLINE**

COMES NOW, Defendant, Ashu Joshi (“Joshi”), by and through counsel, and moves this Court to extend the pretrial motion deadline. In support of his motion, Joshi states as follows:

1. This case was designated as complex on May 24, 2019 [Doc. 92].
2. Joshi is not incarcerated, having been released on pretrial supervision [Doc. 46].
3. Due to the complexity of the case, Joshi has retained the undersigned as co-counsel.
4. On November 8, 2019, a Kentucky Circuit Court Judge issued an order declaring that Joshi and M.D. were married as of June 23, 2018.
5. Pretrial motions were filed just two weeks later on November 22, 2019 [Docs. 116-18].
6. The Kentucky Circuit Court Judge’s order made this case, already designated complex, even more complex, and altered the nature of the case by injecting a new, viable defense and basis for pretrial motions.

7. Whether a husband may be prosecuted under federal child pornography laws for direct messages with his wife containing sexual content is a novel, complex legal issue implicating multiple constitutionally protected interests.
8. Undersigned co-counsel entered on January 20, 2020 [Docs. 189-90].
9. Joshi requires additional time and the assistance of co-counsel to properly raise arguments regarding his marriage to M.D. under Kentucky law.
10. In addition, a superseding indictment was filed on January 29, 2020 [Doc. 203].
11. The superseding indictment raises an entirely new count (Count IV) alleging receipt of videos not involving M.D., the sole alleged victim up until this point.
12. Counsel require additional time to investigate the veracity of the new count, explore any pretrial motions and defenses, and discuss the new count with Joshi and with the Government.
13. Counsel respectfully request an additional 45 days in which to supplement and file pretrial motions.
14. Such request is not made for vexation or delay, but is made in good faith and for the purpose of providing diligent representation.
15. The ends of justice served by such request outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, Defendant Joshi respectfully requests this Honorable Court extend the pretrial motion deadline for 45 days.

Respectfully Submitted,

ROSENBLUM, SCHWARTZ & FRY

*/s/ Emily Danker-Feldman*

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**Certificate of Service**

I hereby certify that on February 4, 2020, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the United States Attorney's Office for St. Louis, Missouri.